

Attorney Docket No.: 6770P007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Thomas Man Yin Ying, et al.

Application No.: 10/742,150

Filed: December 18, 2003

For: METHOD AND APPARATUS FOR
RECOVERING A REFERENCE
CLOCK

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

) Examiner:

) Art Unit: 2664

EXPRESS MAIL STATEMENT

"Express Mail" mailing label number: EV336587250US
Date of Deposit: September 2, 2004

I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Christopher P. Marshall

(Type or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

(Date Signed)

9/2/2004

PETITION UNDER 37 C.F.R. § 1.47(a)

Sir:

Pursuant to 37 C.F.R. § 1.47(a), it is hereby requested that the present application be made by inventor Thomas Man Yin Ying on behalf of himself and non-signing inventor Peter Wayne Cudmore.

Peter Wayne Cudmore is named as a joint inventor for the above-identified patent application. Inventor Peter Wayne Cudmore cannot be found or reached after diligent effort. Enclosed is a Declaration by John Robinson setting forth the facts regarding the diligent efforts made to try to find or reach inventor Peter Wayne Cudmore. The Declaration by John Robinson states that inventor Peter Wayne Cudmore has not been found or reached.

Also enclosed is a Declaration and Power of Attorney for this utility patent application that has been executed by inventor Thomas Man Yin Ying. On that Declaration and Power of Attorney, the name, citizenship, and last known mailing address is set forth for inventor Peter Wayne Cudmore, who cannot be found or reached after diligent effort.

09/08/2004 HALI11 00000002 10742150

01 FC:1460

130.00 OP

Accompanying this Petition is a check for \$130.00 for the fee under 37 C.F.R. § 17(h) for filing by other than all the inventors.

The last known address for non-signing inventor Peter Wayne Cudmore (a citizen of Great Britain) is as follows:

38 Caulifield Road
Swindon, SN2 8BS
UNITED KINGDOM.

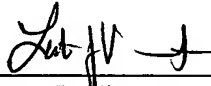
In view of the Petition, the Declaration of John Robinson, and the accompanying check for the fee under 37 C.F.R. § 17(h), it is hereby requested that this Petition under 37 C.F.R. § 47(a) be granted and that the present application may be made by inventor Thomas Man Yin Ying on behalf of himself and the non-signing inventor Peter Wayne Cudmore.

If any additional fee is required not covered by any check submitted, please charge Deposit Account No. 02-2666.

Respectfully submitted,

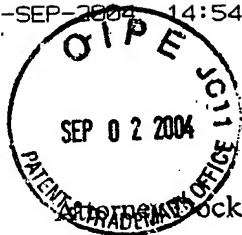
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: September 2, 2004



Lester J. Vincent
Reg. No. 31,460

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
(408) 720-8300



Pocket No.: 6770P007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Thomas Man Yin Ying, et al.

Application No.: 10/742,150

Filed: December 18, 2003

For: METHOD AND APPARATUS FOR
RECOVERING A REFERENCE CLOCK

Examiner:

Art Unit: 2664

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450DECLARATION OF JOHN ROBINSON

Sir:

I, John Robinson, having personal knowledge of the facts set forth herein, hereby declare as follows:

1. I am a Patent Attorney for Marks and Clerk, which is an intellectual property law firm having offices in the United Kingdom. I work in the Oxford office located at 4220 Nash Court, Oxford Business Park South, Oxford OX4 2RU, United Kingdom.
2. The present U.S. patent application claims priority from Great Britain patent application no. 0229648.1, which was filed December 19, 2002. Marks and Clerk is the agent for that Great Britain patent application.
3. Lester J. Vincent is an attorney of record for the present U.S. patent application.
4. On March 1, 2004, I received from Lester J. Vincent a Declaration and Power of Attorney that he requested be reviewed, signed, and dated in connection with the present U.S. patent application.

"Express Mail" mailing label number: EV33658725045
 Date of Deposit: September 2, 2004
 I hereby state that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

- 1 -

Christopher P. Marshall
 (Typed or printed name of person mailing paper or fee)

CP Marshall
 (Signature of person mailing paper or fee)


9/2/2004
 (Date signed)

5. I sent the Declaration and Power of Attorney to inventor Peter Wayne Cudmore for his execution care of the company I believed to be his employer, which was Zarlink Semiconductor Limited, located at Cheney Manor, Swindon, Wiltshire SN2 2QW, United Kingdom.
6. I was told by Zarlink Semiconductor Limited that Mr. Cudmore was no longer employed by Zarlink Semiconductor Limited. I was also told that Zarlink Semiconductor Limited did not have a forwarding email address for Mr. Cudmore.
7. On two separate occasions, I sent the Declaration and Power of Attorney to inventor Peter Wayne Cudmore for his signature at the last known residence address for Mr. Cudmore, which was 38 Caulifield Road, Swindon, SN2 8BS, UNITED KINGDOM. I never received a reply from Mr. Cudmore.
8. I have been unable to locate or reach inventor Peter Wayne Cudmore. Mr. Cudmore has not been found or reached.
9. I have been diligent in my efforts to locate inventor Peter Wayne Cudmore.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States

Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 2.9.04



John Robinson

Patent Attorney
MARKS AND CLERK
4220 Nash Court
Oxford Business Park South
Oxford OX4 2RU
UNITED KINGDOM
Telephone: +44 (10) 1865-397-900